



U.S. Department of Justice

*United States Attorney
Eastern District of New York*

DMP:ICR/SKW/EHS
F. #2022R00326

*271 Cadman Plaza East
Brooklyn, New York 11201*

August 31, 2022

By Email and ECF

Mia Eisner-Grynberg, Esq.
Deirdre D. von Dornum, Esq.
Federal Defenders of New York
One Pierrepont Plaza, 16th Floor
Brooklyn, New York 11201

Re: United States v. Frank James
Criminal Docket No. 22-214 (WFK)

Dear Counsel:

Enclosed please find the government's supplemental discovery in accordance with Rule 16 of the Federal Rules of Criminal Procedure. The discovery is being produced pursuant to the Protective Order entered by the Court on July 15, 2022. The government again requests reciprocal discovery from the defendant.

I. The Government's Discovery

A. Documents and Tangible Objects

Bates Numbers	Description
FJ_0013331 - FJ_0013333	Records from Amazon.
FJ_0013334 - FJ_0013339	Records from Apple.
FJ_0013340	Records from Appriss Inc.
FJ_0013341 - FJ_0013361	Records from AT&T.
FJ_0013362 - FJ_0013383	Records from Carbonite.
FJ_0013384 - FJ_0013388	Records from CashApp.
FJ_0013389 - FJ_0013414	Draft reports regarding defendant's location history.
FJ_0013415 - FJ_0013426	Records from East Bank Storage.
FJ_0013427 - FJ_0013526; FJ_0013528 - FJ_0013532	Federal Bureau of Investigation ("FBI") reports and related attachments.
FJ_0013527	FBI Receipt for Property from the defendant's Safeguard Self Storage unit.

FJ_0013533 - FJ_0013535	FBI reports and related attachments regarding civilian tips, which have been marked Sensitive Discovery Material .
FJ_0013536 - FJ_0013545; FJ_0013546 - FJ_0013576; FJ_0015325 – FJ_0015328	FBI reports which include the statements of potential witnesses, which have been marked Sensitive Discovery Material .
FJ_0013577 - FJ_0013857	Records from JPMorgan Chase.
FJ_0013858 - FJ_0013859	Records from Laylor Storage.
FJ_0013860 - FJ_0013871	Records from Meta Inc.
FJ_0013872 - FJ_0013995	The defendant's military records. ¹
FJ_0013996 - FJ_0014144	Records from the New Jersey State Police Department, including license plate hits and other reports.
FJ_0014145 - FJ_0014146	Records from the New Jersey Turnpike Authority.
FJ_0014147 - FJ_0014197	Reports from the New York City Police Department ("NYPD") Crime Scene Unit.
FJ_0014148 - FJ_0014247	Reports from the NYPD Intelligence Division, which have been marked Sensitive Discovery Material .
FJ_0014252 - FJ_0014259	Records from Ooma Inc.
FJ_0014260 - FJ_0014305	Records from PNC Bank.
FJ_0014306	Records from Sutton Bank.
FJ_0014307	Records from TextNow.
FJ_0014308 - FJ_0014387	Records from T-Mobile.
FJ_0014388	Records from Twitter.
FJ_0014389 - FJ_0014585	Records from US Bank.
FJ_0014586 - FJ_0014598	Records from Verizon.
FJ_0014599 - FJ_0014604	Records from the Wisconsin Department of Transportation.
FJ_0014605 - FJ_0014655	Records from PayPal.
FJ_0014656 - FJ_0014718	Records from Bridgeway.

As noted previously, you may examine any physical evidence discoverable under Rule 16, including original documents, by contacting me to arrange a mutually convenient time.

B. Reports of Examinations and Tests

Bates Numbers	Description
FJ_0014248 - FJ_0014251	Lab reports from the NYPD Police Laboratory.
FJ_0014719 - FJ_0015324	FBI Laboratory Reports.

The government will provide you with copies of additional reports of examinations or tests in this case as they become available.

¹ The official and complete National Archives version can be reviewed at the U.S. Attorney's Office at defense counsel's request.

C. Brady Material

While not exculpatory pursuant to Brady v. Maryland, 373 U.S. 83 (1963), in an abundance of caution, the government notes certain facts previously disclosed to the defense in FBI interview reports. As indicated in the reports, an individual who lived in the same Philadelphia apartment building as the defendant in April 2022 stated that at approximately 8 or 9 a.m. on April 12, 2022, the day of the defendant's subway attack, the individual heard someone in the building's first-floor apartment. In a separate interview, the property manager of the Philadelphia apartment building stated that the defendant rented the first-floor apartment and was scheduled to move out on Sunday April 11, 2022. The property manager further stated that he/she entered the first-floor apartment on the morning of April 12, 2022 and discovered that the defendant's belongings were still in the apartment. The reports from both interviews were previously produced to the defense at FJ_0008365 and FJ_0008376.

Very truly yours,

BREON PEACE
United States Attorney

By: /s/
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Enclosures

cc: Clerk of the Court (WFK) (by ECF) (without enclosures)